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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARY B. LABRADOR, individually and on  
behalf of all others similarly situated,

Plaintiff,

vs.

SEATTLE MORTGAGE COMPANY,

Defendant.

Case No.: C-08-2270-SC

CLASS ACTION

**STIPULATION AND [PROPOSED]  
ORDER RE RE-SCHEDULING OF  
DEFENDANT'S MOTION TO DISMISS  
AND CASE MANAGEMENT  
CONFERENCE**

1 Plaintiff Mary B. Labrador and defendant Seattle Mortgage Company, through their  
2 attorneys of record, hereby stipulate as follows:

3 **RECITALS**

4 1. This action was removed to this Court on May 1, 2008, and defendant filed a  
5 motion to dismiss a few days thereafter. On May 9, 2008, the Court ordered the case reassigned  
6 to the Honorable Samuel Conti, and notified the parties that all prior hearing dates were vacated.

7 2. On May 14, Defendant re-noticed its motion to dismiss to be heard on July 11,  
8 2008.

9 3. The parties agree that the hearing should be continued to the next available date  
10 on the Court's motion calendar on which lead counsel will both be available. This agreement is  
11 based on the press of other business, which combined with the complexity of the issues will make  
12 it difficult for plaintiff to prepare her opposition within the allotted time; previously-made travel  
13 commitments of counsel; and the parties' desire to meet and confer about the issues. The parties  
14 had agreed on August 15, 2008 as the new hearing date, but have been informed by the Court that  
15 that day is unavailable, and that the next date which is available is September 5, 2008.

16 4. A case management conference is scheduled for August 15, 2008. Because the  
17 need for and scope of the conference will depend on the outcome of defendant's motion, the  
18 interests of justice will be served by continuing the case management conference as well.

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**STIPULATION**

Accordingly, the parties stipulate that the hearing on defendant's motion to dismiss and the case management conference shall both be continued to September 5, 2008. The time for filing plaintiff's opposition and defendant's reply re the motion to dismiss shall be calculated on the basis of the new hearing date.

Dated: June 2, 2008

Respectfully submitted,

BONNETT, FAIRBOURN, FRIEDMAN  
& BALINT, PC

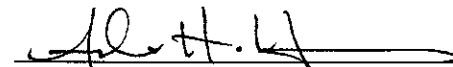
CHAVEZ & GERTLER LLP

By:



Nance F. Becker  
Attorneys for Plaintiff  
MARY B. LABRADOR  
SEVERSON & WERSON

By:



John B. Sullivan  
Andrea Henningsen  
Attorneys for Defendant  
SEATTLE MORTGAGE COMPANY

June 2, 2008

**PROPOSED ORDER**

Good cause appearing, the Court hereby approves the above stipulation and Orders that:

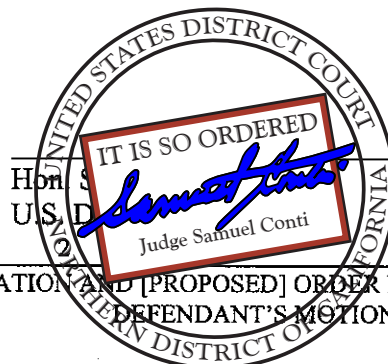
(1) Defendant's Motion to Dismiss shall be heard on September 5, 2008 at 10:00 a.m.

Plaintiff's opposition shall be filed by August 15, 2008 and defendant's reply shall be filed by August 22, 2008.

(2) The Case Management Conference currently scheduled for August 15, 2008 shall take place on September 5, 2008, immediately following the hearing on the motion to dismiss.

IT IS SO ORDERED.

Dated: June 4, 2008



STIPULATION AND [PROPOSED] ORDER RE RE-SCHEDULING OF  
DEFENDANT'S MOTION TO DISMISS AND CMC